

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
-vs- ) Case No. 18 CR 105  
 )  
ADAM SPRENGER, ) Chicago, Illinois  
 ) August 29, 2019  
 ) 2:00 p.m.  
Defendant. )

TRANSCRIPT OF PROCEEDINGS  
BEFORE THE HONORABLE JOHN J. THARP, JR.

APPEARANCES:

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1 (Proceedings heard in open court:)

2 THE CLERK: U.S.A. v. Adam Sprenger, 18 CR 105.

3 MS. GREENING: Good afternoon, Your Honor. Kelly  
4 Greening on behalf of the United States.

5 MR. BRANDSTRADER: Good afternoon, Judge Tharp.  
6 Thomas Brandstrader and Andrew Gable, G-a-b-l-e, for  
7 Mr. Sprenger.

8 THE COURT: Good afternoon.  
9 Good afternoon, Mr. Sprenger.

10 THE DEFENDANT: Good morning.

11 PROBATION OFFICER: Good afternoon, Judge. Michael  
12 Alper, U.S. Probation.

13 THE COURT: Good afternoon.  
14 Are we prepared to proceed with sentencing?

15 MR. BRANDSTRADER: Yes, Your Honor.

16 MS. GREENING: Yes, Judge.

17 THE COURT: Ms. Rone, would you please swear in  
18 Mr. Sprenger.

19 THE CLERK: Yes.

20 (Defendant sworn.)

21 THE COURT: All right. The first thing I want to do  
22 is make sure I've seen everything that's been submitted.

23 I, of course, reviewed the plea agreement, the  
24 presentence investigation report along with a supplemental and  
25 second supplemental report, the probation office's sentencing

1 recommendation, the government's version of the offense and  
2 supplemental version of the offense, the government's  
3 sentencing memorandum, a separate submission that included  
4 video clips and several photographs that were submitted by the  
5 government that are referenced in the materials but not  
6 previously included. I just received those yesterday  
7 afternoon.

8 And I have received, of course, and reviewed the  
9 defendant's sentencing memorandum which includes, along with  
10 various argument, a psychosexual risk evaluation and  
11 approximately a dozen mitigation letters submitted by  
12 Mr. Sprenger's family and friends.

13 Is there anything else I'm missing?

14 MS. GREENING: I believe this might be included in  
15 the categories you just listed, Your Honor, but the two victim  
16 impact letters from the parents of both Victim C and F and the  
17 parents of Victim E.

18 THE COURT: Yes, I think those are included in the  
19 supplemental material provided by probation.

20 MS. GREENING: Okay.

21 THE COURT: Anything else?

22 MR. BRANDSTRADER: I think you named everything,  
23 Judge.

24 THE COURT: Okay.

25 Is either party anticipating presenting any witness

1 testimony?

2 MS. GREENING: No witnesses, Your Honor. I do have  
3 one victim who would like to testify to the Court today.

4 THE COURT: Okay.

5 MS. GREENING: Make a statement, rather.

6 THE COURT: All right. We'll address that in just a  
7 moment.

8 I want to start with the PSR. There were I think  
9 several issues the defense counsel had with certain paragraphs  
10 in the PSR. With respect to all of them, it wasn't entirely  
11 clear to me what -- whether you were seeking some correction  
12 to the PSR or just to clarify things for my edification.

13 MR. BRANDSTRADER: It was more of a clarification,  
14 Judge.

15 THE COURT: Okay. All right. So are there any  
16 statements of fact included in the PSR that you're objecting  
17 to?

18 MR. BRANDSTRADER: No, Judge.

19 THE COURT: Okay. Then we'll move to the question of  
20 the calculation of the advisory sentencing guideline range  
21 that applies in this case which is the point that the  
22 Supreme Court has said all district courts should begin  
23 sentencing proceedings by correctly calculating the applicable  
24 guideline range.

25 Having reviewed the submissions, it's my

1 understanding, while the defense believes various aspects of  
2 the guideline calculation are weighted too heavily or impact  
3 the guideline range disproportionately or in a compounded  
4 fashion, you're not challenging the accuracy of the  
5 calculation itself?

6 MR. BRANDSTRADER: We are not, Your Honor.

7 THE COURT: All right.

8 And the government does not challenge the calculation  
9 either?

10 MS. GREENING: That's correct.

11 THE COURT: All right. I ordered the preparation of  
12 a presentence investigation report to assist the Court in  
13 sentencing the defendant. The presentence investigation  
14 report reflect a preliminary guideline calculation with a  
15 total offense level of 43 and a criminal history category of  
16 I.

17 I'll just note this much for clarity of the record.  
18 The 43 is the maximum offense level that can be utilized under  
19 the guideline. If you actually do the math, the guideline  
20 calculation comes out to 45, but pursuant to comment 2 of  
21 Section 5.8, 43 is the maximum offense level.

22 So the PSR reflects a total offense level of 43 and a  
23 criminal history category of I. I concur with those  
24 calculations as set forth in the PSR. They're quite  
25 complicated, so I'm not going to go through them and reiterate

1     them on the record, but I accept the presentation, and there's  
2     been no objection to the presentation set forth in the PSR.

3             The combination of offense level of 43 and a criminal  
4     history score of I yields an advisory sentencing guideline  
5     range of 50 years of imprisonment, a supervised release range  
6     of at least five years, up to life, a fine range of 50,000 up  
7     to \$250,000 along with required restitution.

8             Is there anything else we need to cover or discuss  
9     with respect to the guideline calculation itself?

10            MS. GREENING: No, Your Honor.

11            MR. BRANDSTRADER: No, Judge.

12            THE COURT: All right. Then we'll proceed to  
13     consider all of the other factors in addition to the advisory  
14     guideline range that the Court is required to take into  
15     account in determining the appropriate sentence to impose.

16            I'll hear first from the government, then from the  
17     defense.

18            And, Mr. Sprenger, once your counsel has had the  
19     opportunity to make his comments on your behalf, as the  
20     defendant in the case, you have the right to address the Court  
21     directly if you wish to do so. You're not required to do so,  
22     but you will have that opportunity. If you choose not to  
23     address the Court, that will not be held against you in any  
24     way.

25            All right. Ms. Greening, why don't we hear first

1 from the victim, and then we'll have your comments and  
2 arguments.

3 MS. GREENING: Thank you, Your Honor.

4 So I would like to call up Individual A. If it  
5 pleases the Court, I would like to continue to refer to her  
6 that way to protect her children's identities.

7 MR. BRANDSTRADER: May I sit down, Judge?

8 THE COURT: Yes, you may.

9 MR. BRANDSTRADER: We have no objection to that,  
10 Your Honor.

11 MS. GREENING: She's the parent of Victims A and B.

12 THE COURT: Yes, ma'am.

13 Good afternoon, ma'am.

14 THE WITNESS: Good afternoon, Your Honor. I will try  
15 to get through this as easily and quickly as possible.

16 THE COURT: Let me ask you just to pull that down a  
17 little. Thank you.

18 THE WITNESS: Is that better?

19 THE COURT: That's better.

20 THE WITNESS: Okay.

21 On Valentine's Day 2018, my entire world was forever  
22 changed. My views on life, definition of love and ability to  
23 trust was taken from me and my family. I'm a mother of four  
24 and of Victims A and B. They are my daughters. It is not  
25 important for me to share how I am feeling now. It's more

1 important for you all to hear how I felt then. In my first  
2 entry, I state just a few of the many emotions that were going  
3 through me and my children's minds at that time and have  
4 continued to evolve, and I'm going to just read that entry  
5 real quick to you guys.

6 March 22, 2018. In so many ways I am not ready to do  
7 this, to write and feel, but in so many more, I know I must  
8 face this. If I'm ever to heal and move forward, I am at a  
9 crossroads, almost paralyzed by what has happened these past  
10 five weeks: abandoned, betrayed, hurt, shocked, angry, lost,  
11 numb, unable to fully comprehend the awful truth which keep  
12 expanding further and further into my life and those around  
13 me, the ones that I love and couldn't protect, lost,  
14 heartbreak, isolation, anxiety, fear, the unknown of what he  
15 did and what will be the pain for myself and my children and  
16 everyone allowed to be affected by him; pain, unable to sleep,  
17 hatred mixed with missing what I thought was love and hating  
18 myself for letting him in my life to begin with. This person  
19 preyed on my family, making calculated moves, gaining my trust  
20 and using love to manipulate me for his own dark and  
21 unimaginable needs. He used my children and exploited them,  
22 and it did not stop there. Other family members of mine were  
23 targeted, my children's friends, my neighbor's daughters and  
24 on and on and on.

25 Since that Valentine's Day I have had to leave my job



1 as an ICU nurse and go on short-term disability due to a new  
2 diagnosis of PTSD related to these events. I have an  
3 inability to function and at times to even leave the house.

4 My children and I have spent the last 18 months in  
5 weekly therapy, sometimes twice a week, costing over \$20,000  
6 for those visits and continuing to grow as therapy is going to  
7 be something we are needing for most likely the rest of our  
8 lives. So many questions that I may know answers to they do  
9 not yet. One of my daughters is now over 18. She has the  
10 ability to go look at any of this information and access it  
11 for the rest of her life, and I can't protect her from that.  
12 And I know that my other daughter who is now 15 will also have  
13 that right. So as difficult as it was to hear, I chose to  
14 hear the details so that I could someday address that with  
15 them and also the therapist. For now, whether right or wrong,  
16 I find some comfort in knowing that they don't know the  
17 details because once you learn them, you cannot unhear them,  
18 and you can never forget.

19 Sorry.

20 THE COURT: Take your time.

21 THE WITNESS: My kids have been struggling. They  
22 started struggling in school when they prior had not. There  
23 were some days we just could not get out of the house. It was  
24 too difficult for us to face the world or other people,  
25 causing them to miss many days of school and then get them

1 further behind. And while scars never truly go away, today  
2 does mark the beginning of a healing process.

3 I would like to close with a quote from a song, as  
4 music has always been a means of being healing and expressing  
5 emotions. Okay.

6 All your life is such a shame, shame, shame. Are you  
7 happy where you're sleeping? Casting shadows on the winter  
8 sky as you stood there counting crows, one for sorrow, two for  
9 joy, three for girls, and four for boys, five for silver, six  
10 for gold, seven for a secret that was never told until now.  
11 All your life is such a shame. Open up your eyes, you can see  
12 the flames of your wasted life. You should be ashamed, and  
13 I'm not going to waste my life.

14 Thank you.

15 THE COURT: Thank you very much, ma'am.

16 MS. GREENING: Your Honor, the defendant in this case  
17 is a predator whose conduct has harmed the youngest and most  
18 vulnerable members of our community. He produced images and  
19 videos depicting himself masturbating on and around and  
20 molesting children in his own home and in others. He  
21 distributed these videos to other men like him over the  
22 Internet, ensuring that they will live on and on to continue  
23 to humiliate and cause pain to these victims. And he  
24 possessed over 1300 other images on various devices that  
25 depict child pornography, including the anal, vaginal and oral

1 rape of children as young as toddlers. These are real  
2 children whose real trauma and suffering continues even once  
3 the assault is over at the hands of men like the defendant who  
4 trade in this kind of material for fun.

5 Based on this conduct, Your Honor, the government is  
6 asking for a sentence of 50 years' imprisonment, which is the  
7 guideline range. It's a significant sentence, but it's  
8 warranted and necessary in light of the 3553(a) factors.

9 First turning to the nature and circumstances of the  
10 defendant's offense. The horrifying nature of the defendant's  
11 conduct weighs heavily in favor of this guideline sentence.  
12 The defendant exploited these young girls who trusted them --  
13 him in their own homes as they slept. He molested,  
14 masturbated on and around these girls. He turned their safest  
15 place into a nightmare.

16 And as you just heard the effects of some -- on some  
17 of these victims is not even yet realized because their  
18 parents haven't shared with them what fully went on. But the  
19 mother of one victim wrote a powerful statement detailing how  
20 her daughter and their family has suffered the defendant's  
21 actions. Victim D is Individual A's niece. She's an 8 year  
22 old who was left in the care of the defendant for an  
23 afternoon. The defendant videoed himself masturbating openly  
24 in front of this victim while she was fully awake.

25 Victim D's mother detailed how her daughter's grades

1 and test scores have dropped. Her participation in sports  
2 have dropped. She's afraid of being alone. She's changed the  
3 way she dressed. She's embarrassed to be a girl. She's  
4 developed social anxiety. She's cried to her parents that  
5 her, quote, brain keeps telling me to be sad. She's in  
6 biweekly therapy to address these issues.

7 Her parents too are suffering greatly. Her mother  
8 describes being torn apart, having heightened anxiety and pain  
9 watching her child suffer. She said that Victim D's, quote,  
10 first sexual experience was decided for her by Adam against  
11 her will, and when she didn't possess the purview of what sex  
12 should be, Adam took that experience from her. The  
13 defendant's crimes against her child and others revealed to  
14 her, that, quote, the person I trusted to protect my child was  
15 the one victimizing her. This is a recurring theme in this  
16 case for the defendant.

17 Similarly, Victim C and Victim F's father wrote a  
18 powerful statement to this Court stating that people like the  
19 defendant are, quote, every parent's worst nightmare, and his  
20 actions will affect them for the rest of their lives.

21 Your Honor, there's significant evidence to  
22 substantiate that the defendant actually drugged at least one  
23 of his victims, 13-year-old Victim B, before making his video.  
24 As discussed in filings and shown in government's version  
25 Exhibit A, the defendant sent another man pictures of himself

1 mixing a white powder substance into a cup with liquid and  
2 then mixing it into the liquid. He told the man he was  
3 slipping some sleepy stuff into Victim B. Later he said, What  
4 the hell? She's still wide awake.

5 The video he took of Victim B included him molesting  
6 her as she slept. He fondled her vagina and her buttocks on  
7 camera, and Victim D did not move.

8 THE COURT: Ms. Greening, let me interrupt you right  
9 there. I want to be clear as to the government's position  
10 with respect to this question of whether the defendant did  
11 drug, supply some sort of drug that put the victims to sleep.  
12 Is that the government's position?

13 MS. GREENING: It's the government's position that  
14 the evidence supports that inference, yes, Your Honor.

15 THE COURT: All right.

16 MS. GREENING: Now, the defendant states that while  
17 disturbing, the defendant's conduct, quote, did not involve  
18 touching under the clothing or any other acts more typically  
19 associated with contact offenses.

20 But let's be clear. This was a sexual assault. The  
21 defendant assaulted Victim B and videotaped it. The fact that  
22 he did not assault her to the furthest extent possible is not  
23 a mitigating factor.

24 On top of these videos that he produced, the  
25 defendant also possessed over 1300 images and videos depicting

1 child pornography, a very limited portion of which was  
2 supplied to this Court ahead of sentencing. He collected  
3 these images and videos of children being sexually abused in  
4 the cruellest and most sickening ways possible, and he did it  
5 for his own pleasure. And, again, the powerful victim impact  
6 statements from the identified children were depicted in these  
7 images and videos. They were ages 4 through 12 at the time of  
8 their abuse, describe the pain that they experience every time  
9 they learn a new person had been looking at their most  
10 tortured moments for fun. They describe living in fear that  
11 someone on the street will recognize them. The message must  
12 be sent to all of these victims, those the defendant knew and  
13 those that he didn't, that they matter, that society values  
14 protecting them.

15 Now, turning to the defendant's history and  
16 characteristics, the government does recognize in mitigation  
17 that the defendant has strong family support. He also  
18 reported to probation the history of abuse himself though the  
19 defendant describes a cycle of abuse, victim to predator, and  
20 that factor can weigh both ways because the cycle needs to be  
21 stopped.

22 Moreover, an overall review of the defendant's  
23 history and characteristics weighs heavily in favor of a  
24 50-year sentence in this case. The record before the Court  
25 depicts a defendant who preys on young girls and was obsessed

1 with doing so. He exclusively dated women with young  
2 daughters. In Exhibit C to the government's version, he  
3 describes two prior long-term relationships with women who had  
4 young girls. And that wasn't an accident. Just before  
5 sending a video of himself ejaculating on Victim B to an  
6 undercover officer, the defendant said, quote, I only date  
7 women with beautiful girls, or if they're ultra petite.

8 In another Kik chat, he referenced "sniffing" one of  
9 his ex-girlfriend's daughters when she was 8 years old. He  
10 targeted these girls. He targeted their mothers. He lived  
11 with them and exploited them in their own homes where they're  
12 supposed to feel the safest.

13 Now, the government's sentencing memorandum also lays  
14 out extensive evidence of the defendant's fantasies, which  
15 included rape and having sex with the corpses of teen girls.  
16 But it's all not just fantasy. The defendant took very real  
17 actions to live some of his fantasies out. He installed  
18 hidden cameras in the bathroom to watch Victim A naked. He  
19 masturbated all over Victim A's belongings, including her  
20 cheerleading outfit and her retainer. He invited strange men  
21 over to do the same. He took many, many what he called creep  
22 shots of Victim A and other children's groins and buttocks,  
23 and he sent those creep shots to many, many men over  
24 Kik Messenger.

25 Turning to Victim C, Sean McCarthy's 14-year-old

1 stepdaughter. He followed her in person. He harassed her  
2 over text message even after she blocked him. He harassed her  
3 again using a different number. And he took substantial steps  
4 to date Individual C, the mother of Minor G, whom he discussed  
5 at length wanting to drug and rape, both of them. He  
6 continued even after Individual C told him to stop, called  
7 security when he would come and told him that he was creeping  
8 her out. None of this is an anomaly for the defendant. This  
9 was his lifestyle.

10 Now, I would like to spend a moment talking about  
11 Dr. Brenzinger's report, the evaluation that the defense has  
12 submitted. And this is both under his history and  
13 characteristics and a discussion of specific deterrence in  
14 this case.

15 The defense relies heavily on this report which  
16 concludes that he is a low-to-moderate risk potential of  
17 sexually victimizing others. But this evaluation relies at  
18 least in part on the defendant's statements, some of which  
19 were demonstratively false.

20 Lie No. 1, the defendant stated repeatedly and  
21 vehemently he denied ever having made physical contact with  
22 the victims. That's on page 9 of the report. Now, the  
23 government provided several disks of videos in preparation for  
24 this sentencing, including Exhibit Disk 1 which contains the  
25 four videos described in the stipulated offense of the plea



1 involving Victim B. And on that disk, the defendant visibly  
2 fondles Victim B's vagina and buttocks. There is clear  
3 physical contact. He lied to the evaluator about never having  
4 contact with a child. The evaluator credited that lie. Now,  
5 six months later, the defendant had to admit to sexual contact  
6 with Victim B in the plea agreement. It's on page 6. But the  
7 evaluation and its results are tainted by the defendant's  
8 lies.

9 Lie No. 2, the defendant told the evaluator that he  
10 never used a phone or the Internet to solicit a minor for sex.  
11 That's on page 11 of the report. Government's version  
12 Exhibit G is a Kik chat between the defendant and Sean  
13 McCarthy. The defendant screenshots his attempts to  
14 communicate with McCarthy's stepdaughter, Victim C, via text  
15 message. He relays that he asked Victim C, quote, if she  
16 wants to make a quick 60 bucks. She blocked his number.

17 It's clear from the context of the defendant and  
18 McCarthy's conversation and many other conversations that they  
19 had about Victim C, including rape fantasies and the video  
20 that the defendant made of himself masturbating on Victim C,  
21 that this is in a sexual context. He was soliciting Victim C  
22 for sex using a phone. He lied to the evaluator about that  
23 conduct as well. When the defendant provides false  
24 information to the evaluator who is creating the report, the  
25 result of that evaluation is tainted.

1 I also want to highlight here in this report as well  
2 as in other contexts the defendant's serious minimization of  
3 his conduct. Pages 6 through 7 of the report, he claimed no  
4 one was hurt by what happened. He slipped one time. He made  
5 a mistake. He doesn't know how the sexual things happened,  
6 and he felt victimized by the charges against him in this  
7 case.

8 On the concept that no one was hurt, I would point  
9 the Court to Individual A's oral statement, the other victim  
10 impact statements of the few parents who gathered the strength  
11 to write them. To read the statements of the children and the  
12 hundreds and hundreds of images and videos that were in the  
13 defendant's possessions, they're describing their rape and  
14 their pain. And if what he's referring to is the fact that  
15 the children he masturbated on and molested were often asleep,  
16 he's missing the point.

17 The idea that he slipped one time, again, Your Honor,  
18 the record proves that is not the case. This is the  
19 defendant's lifestyle. This is who he is. And the idea that  
20 he felt victimized by the charges, the only victims are the  
21 innocent children whose videos and images of sexual  
22 exploitation he created, he distributed, and he possessed.

23 Also in this report and elsewhere in his sentencing  
24 submissions, the defendant put a lot of blame on alcohol.  
25 This was addressed in the government's sentencing filing, so I

1 won't go much further here except to say alcohol cannot be  
2 blamed for this lifestyle of abuse and exploitation that the  
3 defendant lived. This wasn't "I got intoxicated one or two  
4 times and made a mistake." It's clear from the extensive  
5 record before the Court this was who the defendant was.

6 Now, a few other points I would like to address from  
7 the defendant's sentencing memorandum.

8 First, that there's no evidence he did this before.  
9 Now, as already discussed in the sentencing filings and  
10 earlier in my presentation, there is an evidence of history of  
11 this kind of behavior, including, quote, sniffing an 8 year  
12 old and his discussion with the undercover officer about only  
13 dating women with beautiful girls.

14 The defendant also stated that he fully accepted  
15 responsibility for his actions the moment he was interviewed  
16 by the FBI, but he did not. The government's version,  
17 Exhibit C, is the full report of the defendant's initial  
18 interview. He admitted to creep shots of Victim A, a  
19 preference for teen girls and having a spy cam app on his  
20 phone. He denied having any hidden cameras in the house,  
21 using Kik Messenger at all, which was how he sent and received  
22 his videos and images of child pornography, and having any  
23 images or albums of Victim B. The defendant minimized then as  
24 he has continued to do.

25 Now, the defense argues that the guidelines as

1 appropriately calculated overstate the seriousness of the  
2 offense and that many of the enhancements he's received are  
3 applicable to all offenders, but they're not. Taking just one  
4 example, the stipulated offense involving the production of  
5 the videos of Victim B, not one of the enhancements that the  
6 defendant received would apply to all production cases. In  
7 fact, several of them didn't even apply to Count One, which is  
8 the other production count that he pled guilty to. He  
9 received enhancements for the offense involving a minor under  
10 16, sexual contact during the video, which he did not receive  
11 for Count One; distribution of the video, which he did not  
12 receive for Count One; and for Victim B being in his care,  
13 custody or supervisory control. All of this, which is  
14 individual to the defendant and his conduct, already gets him  
15 to the offense level of 40. Add grouping, acceptance and the  
16 4B1.5 enhancement, and we're back at life, or 50 years.

17 Same with the possession guidelines, which is more of  
18 the defendant's focus. Of course not all images and videos  
19 depicting child pornography include sadomasochistic conduct or  
20 children under the age of 12. And the 600 images or more  
21 enhancement is appropriate and very much link to the  
22 guidelines' need to reflect the seriousness of the offense,  
23 for the sentence to promote just punishment. 600, or in this  
24 case over 1300, images and videos; it's not just a number.  
25 There are real children on the other side of those lenses,

1 kids that were raped on camera and whose assault was  
2 distributed to and from men like the defendant. Each photo is  
3 traumatic. Each video matters. The guidelines contemplate  
4 all kinds of production and offenses, and here the guidelines  
5 are an appropriate calculation. It is a high range, but it's  
6 based on his conduct.

7 Now, on the argument that the application of both  
8 2G2.2(b)(5) and 4B1.5(b)(1) constitute double counting, of  
9 course the defendant doesn't appear to dispute the case law  
10 stating clearly that it's not. The Court in *Dowell*, which is  
11 the Fourth Circuit case cited in the government's sentencing  
12 memorandum, explained why these two could apply, because the  
13 enhancements have two separate goals: one, to punish the  
14 offense-specific conduct; and the other, to protect the  
15 public.

16 But even if the defendant hadn't pled to the  
17 possession count, and therefore 2G2.2 wouldn't have even  
18 applied, and instead only pled to Count One and stipulated to  
19 the Victim B videos, his guidelines would remain the same.  
20 The stipulated offense alone had a total offense level of 40  
21 plus at least one point for grouping, then plus five for  
22 4B1.5, minus three for acceptance, it would still have the  
23 defendant at his range of 50 years.

24 The defendant also argues that many courts have given  
25 below-guideline sentences to offenders convicted of child

1 pornography offenses, and his filing lists I believe five  
2 specific examples of that. Not a single one of those cases  
3 involve production. They were all possession cases. Here  
4 it's possession and production. These are two important  
5 separate offenses to keep in mind.

6 Your Honor, I won't belabor what's been laid out  
7 extensively in the government's filings and the government's  
8 version of the offense. These are real victims. They were  
9 affected. They continue to be affected, some of whom knew and  
10 trusted this person and others of whom will never meet him.

11 For all these reasons, the government requests a  
12 within guideline sentence of 50 years' imprisonment.

13 THE COURT: All right. Thank you, Ms. Greening.  
14 Mr. Brandstrader.

15 MR. BRANDSTRADER: Thank you, Judge.

16 Your Honor, on behalf of Mr. Sprenger, if I could  
17 address the evaluation as characterized by government.

18 The evaluation, as I understand it, was not based  
19 solely on an interview with Mr. Sprenger. The doctor had the  
20 affidavit for complaint for search warrant which was  
21 extensive, laid out the crimes that they believe to have been  
22 committed. They also had the indictment. And if the Court  
23 reads the evaluation, it does not scream, I'm trying to hide  
24 something here, I'm trying to minimize something here. My  
25 client freely interacted with the doctor to discuss the

1 problems that have manifested himself in his life in the last  
2 few years.

3           The Court is in a very difficult position, to  
4 determine who Mr. Sprenger is. Is he the dangerous pedophile  
5 that the government makes him out to be, or is he the  
6 individual reflected in the 12 letters submitted to this  
7 Court, each one knowing exactly what Mr. Sprenger was standing  
8 here for but at the same time lauding his generosity, his  
9 ability to help others and expressing and exhibiting strong  
10 family support?

11           Heartbreaking is the father's letter that they knew  
12 nothing about the childhood abuse suffered by Mr. Sprenger.  
13 True in his life he had suffered with depression. He was  
14 medicated early, I think in fifth grade, for anxiety, for  
15 depressed moods. He admitted to the doctor that he once  
16 attempted to take his life.

17           There were problems. There were underlying urges  
18 that manifested themselves in the years after 2015. He was in  
19 his thirties. And it is only now that, as the evaluation  
20 points out, he is susceptible to treatment to address these  
21 urges, these behaviors. He stands before you almost 40 years  
22 old with no relevant criminal history. The letters show the  
23 support that he receives from his family, also showing the  
24 heartbreak that his behavior has caused that family which he  
25 freely acknowledges. He was cooperative. We believe he was

1 cooperative upon arrest. He accepted responsibility. He pled  
2 guilty. He precluded the necessity of having a public trial.  
3 He has been in custody since the day of his arrest. He -- and  
4 I failed to enter these into my memo, but he has received  
5 certain documents about life changes, courses that he took in  
6 Kankakee. He was also a monitor on the tier that he had  
7 worked so hard to behave and to follow the rules, that they  
8 made him a monitor of the tier. He attended AA while in  
9 custody, ran meetings himself, understands that alcoholism,  
10 use of alcohol cannot be used as any type of a defense, but it  
11 certainly adds to a factor that the Court should consider when  
12 determining who Adam Sprenger is.

13 I believe what the evaluation also shows and I  
14 believe now that we know what the history of what Mr. Sprenger  
15 is that this abhorrent behavior has been a slow evolution of  
16 reckless conduct fueled by alcohol, fueled by drugs and fueled  
17 by walking in the dark as he has the last few years and doing  
18 these outrageous things to people who loved him.

19 Throwing his life away with a 50-year sentence makes  
20 no sense. It's not what the sentencing scheme calls for.  
21 Yes, he must pay a penalty for his behavior, but at the same  
22 time, we can't throw the human being away. He has never had  
23 the treatment that he so greatly deserves. We will be  
24 requesting placement in the appropriate facility upon the  
25 disposition of sentence. We ask this Court to invoke its



1 great powers of mercy and leniency to understand the victim as  
2 a whole. Candidly, the criminal justice is really not the  
3 place to address these types of problems and these behavioral  
4 issues, but when it includes so many victims, it's the only  
5 place sometimes that these issues can be addressed.

6 We believe, and we say it respectfully, that the  
7 mandatory minimum involved in this case of 15 years is more  
8 than enough, more than sufficient to meet the guidelines set  
9 out and that this Court must follow.

10 The evaluation indicates that he's a low-to-moderate  
11 risk that's susceptible to treatment for the many issues that  
12 he addresses. We hope that where he goes he'll get it, but we  
13 ask this Court not to throw away his life. He has a potential  
14 for rehabilitation once these issues are addressed. Obviously  
15 he'll probably be under some kind of guidance for the rest of  
16 his life. That also should be taken into consideration when  
17 rendering sentence.

18 And, again, respectfully, Judge, we ask the Court to  
19 find that the 15-year minimum sentence is appropriate and  
20 sufficient and meets all the needs as set out by the  
21 guidelines and the statutes.

22 Thank you.

23 THE COURT: Thank you, Mr. Brandstrader.

24 Mr. Sprenger, this is your opportunity to address the  
25 Court if you wish to do so.

1           THE DEFENDANT: Your Honor, first I would like to  
2 apologize to the Court and everyone involved in the  
3 investigation for having to view the disgusting and obscene  
4 material found in my possession. No one should ever be  
5 exposed to this material no matter what their profession.

6           Also, I need to apologize to my friends and family  
7 for letting them down with my embarrassing and damaging  
8 conduct. This was not how I was raised nor was the type of  
9 behavior expected of me.

10           Secondly, I need to apologize to all the victims in  
11 the images and videos that I possessed. In my own  
12 selfishness, I did not realize that I was, in fact, continuing  
13 their abuse. As a victim of sexual abuse myself, I cannot  
14 begin to imagine how it could possibly feel to have a record  
15 of it available for everyone to see. For my part in their  
16 continued victimization, I am truly sorry.

17           Most importantly, I apologize to the families and to  
18 the people I used for my humiliating and disturbing behavior.  
19 My alcoholism, coupled with my undiagnosed disorders, resulted  
20 in unforgiveable and malevolent conduct. These people opened  
21 their hearts and homes to me, and in return, I took their  
22 trust and completely destroyed it. I will forever be sorry  
23 for ruining such a precious and invaluable gift, and I hope  
24 that my abuse does not impede their happiness going forward.  
25 My commitment has been and will remain to be focused on my own

1 rehabilitation so that no one in my life will ever have to go  
2 through a nightmare like this again.

3 Thank you, Your Honor.

4 THE COURT: Thank you, Mr. Sprenger.

5 Under Title 18 of the United States Code,  
6 Section 3553(a), the Court is required to impose a sentence  
7 that is sufficient but not greater than necessary to serve the  
8 purposes that are set forth in that statute. Those purposes  
9 include the need for the sentence imposed to reflect the  
10 seriousness of the offense, to promote respect for the law and  
11 to provide just punishment for the offense, to afford adequate  
12 deterrence to criminal conduct, to protect the public from  
13 further crimes of the defendant and to provide the defendant  
14 with needed educational or vocational training, medical care  
15 or other correctional treatment in the most effective manner.  
16 These four objectives align with the four generally recognized  
17 objectives of criminal sentencing: retribution, deterrence,  
18 incapacitation, and rehabilitation. And federal courts are  
19 required to fashion sentences that will, to the greatest  
20 extent possible, achieve these purposes to the extent they are  
21 applicable in a given case.

22 To do that, the Court is required to consider the  
23 nature and circumstances of the offense and the history and  
24 characteristics of the defendant. The Court must also  
25 consider other factors, such as the kinds of sentences

1 available and the advisory sentencing guideline range, as well  
2 as the policy statements that inform the application of the  
3 sentencing guidelines. The Court is required to consider the  
4 need to avoid unwarranted sentencing disparities among  
5 defendants who have been convicted of similar crimes and have  
6 similar backgrounds.

7 Many of the considerations and facts that bear on  
8 these issues overlap in that they are relevant to more than  
9 one objective. Sometimes facts point in different directions  
10 in terms of what they suggest that the appropriate sentence in  
11 the case must be. It is the Court's task to balance all of  
12 these considerations in fashioning the sentence that best  
13 promotes the sentencing objectives as they are relevant in  
14 this case.

15 I'm going to discuss the factors that I consider most  
16 material to the question of the appropriate sentence to impose  
17 in this case. And starting with the nature and circumstances  
18 of the crimes committed by Mr. Sprenger, we have to, of  
19 course, start with the seriousness of the offense. One of the  
20 two counts of conviction in this case involves the production  
21 of child pornography. The other offense of conviction, the  
22 downloading and possession and distribution of child  
23 pornography, that obviously, it really goes without saying, is  
24 one of the most serious crimes that we recognize as a society.  
25 It violates, these crimes violate any accepted norm of

1 civilized behavior and victimize the people in our society who  
2 are the most vulnerable, those who cannot look out for  
3 themselves. I speak obviously of children, and this crime  
4 victimized children.

5 Any form of child pornography is, therefore, a  
6 serious offense, but as the government cataloged very  
7 effectively, this is a case where there are innumerable  
8 aggravating factors that make this not just a case of garden  
9 variety child pornography, God forbid that we ever describe  
10 child pornography in that manner, but there are many  
11 aggravating factors here that enhance the seriousness of this  
12 offense. And of course in that regard, it's hard to imagine  
13 anything more aggravating than the betrayal of trust that is  
14 evident in the commission of these crimes. The victimization  
15 of members of Mr. Sprenger's own household, the people who he  
16 professed to love and care for more than any other people in  
17 this world, and yet those are the victims of this crime.

18 He betrayed the trust, of course, of young children  
19 who believed in him, trusted him, who were supposed to be  
20 learning from him for whom he should have been a mentor.

21 He also betrayed -- as Individual A said very  
22 eloquently in her comments to the Court today, he also  
23 betrayed her and all those who were close to their family.  
24 "Gained my trust. He manipulated my love." There could be no  
25 quarrel with that assessment.

1           And of course it gets worse because we have the  
2     victimization not only of two of the children living in his  
3     own household and his partner, but he didn't stop there. He  
4     victimized directly through his personal conduct in their  
5     presence at least four other minors who were also known -- two  
6     of whom at least were also members of his family, not his  
7     household, but his family.

8           But there's more. In addition to the victimization,  
9     the direct personal victimization of these children,  
10    Mr. Sprenger perpetuated the victimization of hundreds of  
11    additional minors, about 1300 additional minors who had been  
12    victimized by sexual abuse in the past in the attendant  
13    creation of videos and pictures of that abuse. And it is hard  
14    to overstate the disturbing nature of those videos which --  
15    unfortunately some of which I have had to review in order to  
16    fully assess this conduct. And as the victims universally  
17    reflect, it's hard to undo or set aside those kinds of images.

18           There's more, because this isn't just a crime that  
19    involves the creation of child pornography; this is a crime  
20    that involves sexual abuse. I think the government is  
21    absolutely right about that. It involves unwanted, uninvited,  
22    unlawful physical contact between Mr. Sprenger and at least  
23    one of the six children he victimized directly that we know  
24    of.

25           It's also incredibly disturbing, when one views some

1 of this material, to come to the understanding of how brazen  
2 this conduct was, how close this conduct came to being  
3 discovered and adverted to by the victims. And it is either  
4 in some cases incredibly fortunate that the victim didn't turn  
5 around at the wrong moment or didn't wake up at the wrong  
6 moment, which brings me to yet another aggravating factor.  
7 And it's hard to rank these aggravating factors, but this  
8 certainly would be near the top of the list.

9           The government submits, and I conclude, that the  
10 evidence does support a finding that the defendant  
11 administered on at least some occasions some sort of drug to  
12 the children he was victimizing. That conclusion is based,  
13 first and foremost, on the defendant's own admissions and  
14 statements repeatedly saying that he did so. As the  
15 government's submission points out, it is also -- that claim  
16 does not appear to be mere bravado, some kind of twisted  
17 bravado. It appears to be consistent with reality because it  
18 was consistent with his ability to fondle these children while  
19 they slept.

20           I will note also that despite the -- there is no  
21 countervailing evidence. There is no protest on the tape  
22 recordings, the video recordings, the text messages from those  
23 he was communicating with that suggested that that wasn't  
24 happening. And I'm unaware in any of the statements the  
25 defendant has made that he has ever denied the allegation. I

1 left out the fact that there's also video evidence that when  
2 this discussion is going on, the defendant was mixing up a  
3 crushed white powder into some sort of liquid drink. So the  
4 visual evidence, the repeated statements and the consistency  
5 with the ability to actually carry out some of this criminal  
6 conduct all suggests to me by a preponderance of the evidence  
7 that Mr. Sprenger did exactly what he said he did in drugging  
8 or administering sleepy time substances at least on occasion.

9 I could go on. We could talk about the hidden  
10 cameras in the bathroom. We could talk about the invitations  
11 to other men. Not content to commit these crimes by himself,  
12 the defendant invited other men to participate with him. We  
13 could talk about the behavior of targeting young girls.  
14 Beyond the "I only date women who have beautiful girls"  
15 comments, we see a direct case of this in the stalking and  
16 pursuit of Victim C by Mr. Sprenger. So this is a highly  
17 aggravated case of both production and possession of child  
18 pornography.

19 Factors that mitigate the seriousness of these  
20 offenses? I suppose we, the victims can count their blessings  
21 that Mr. Sprenger didn't go further, but I don't find that as  
22 a mitigating factor in the seriousness of the offense. It  
23 doesn't reduce the seriousness of the offense. The offense is  
24 incredibly serious, even as carried out by Mr. Sprenger.

25 I have to consider Mr. Sprenger's history and



1 characteristics, and I do consider -- and this is where there  
2 are factors that are appropriately considered in terms of  
3 mitigation.

4           Mr. Sprenger has no significant criminal history, and  
5 that does count in his favor, though given the indicia that  
6 this kind of conduct took place over an extended period of  
7 time, as evidenced by factors such as the size of the  
8 collection of pornography, his comments about conduct from  
9 several years past, the length of time over which just the  
10 conduct that's outlined in the plea agreement takes place,  
11 it's clear that this was not a momentary -- these crimes were  
12 not the product of momentary lapses of good judgment or  
13 episodic bouts of drunkenness or other substance abuse.

14           It's clear that Mr. Sprenger does have some  
15 significant and substantial mental health issues, and I have  
16 no difficulty concluding that those mental health issues  
17 undoubtedly are part of the story here in terms of why  
18 Mr. Sprenger has engaged in this abhorrent conduct.

19           The fact that Mr. Sprenger is a victim himself is  
20 part of that equation, and I think it's -- I think I'm on  
21 fairly solid ground in recognizing that there's likely a  
22 greater incidence of this kind of criminal activity by those  
23 who have themselves been abused. But I don't find that to  
24 be -- to excuse the conduct certainly, and it points out in  
25 some respects, you know, the flip side of that equation is

1 while it might help us explain some of Mr. Sprenger's conduct,  
2 it also is at this point part of who Mr. Sprenger is. And  
3 part of what the Court is required to consider, as I've  
4 already noted, is the protection of the public. And for  
5 whatever reasons, Mr. Sprenger developed, through a  
6 combination of his choices, his genetics, his experiences, he  
7 developed into the individual that we see depicted in this  
8 case. And that's the Adam Sprenger that we have to address  
9 here in court today, and that is an Adam Sprenger who presents  
10 a very real and significant risk to the safety of children and  
11 the public in general.

12           The psychosexual assessment that the defense  
13 submitted I agree generally doesn't read like an apology for  
14 Mr. Sprenger's conduct, and clearly he was forthcoming in  
15 large measure about his conduct. But I also agree with the  
16 government that the picture that is described and on which a  
17 low-to-moderate threat assessment is based is not a complete  
18 picture. And as presented in the report, it is -- it does not  
19 begin to reflect the heinous nature of the conduct that  
20 Mr. Sprenger engaged in. And most particularly, it does  
21 not -- while at some points, it -- at least one point it  
22 expressly acknowledges that there was some contact, it  
23 nevertheless assesses Mr. Sprenger based on an apparent belief  
24 that this is not a sexual -- this crime and his conduct does  
25 not involve sexual assault. And as I've already indicated, I

1 disagree with that conclusion. Mr. Sprenger's conduct  
2 reflects that he represents a very real danger.

3 I also take note of the fact, and consistent with the  
4 lack of criminal history, while this is a part of who  
5 Mr. Sprenger is, it's certainly not the entirety of who  
6 Mr. Sprenger is. And we can see that, and that is very  
7 effectively communicated by the letters his family and friends  
8 have provided for him. This is not an individual who  
9 possesses no redeeming qualities. Apart from this criminal  
10 conduct, he has lived a life that has been largely law  
11 abiding. He has enjoyed stable family relationships. He has  
12 shown himself and been recognized to be capable of maintaining  
13 loving relationships. And as we've noted, he's also shown  
14 himself capable of manipulating those relationships.

15 He's been able to support himself, live productively  
16 in society, but yet has never maintained long-term, stable  
17 employment; by "long-term," I mean spanning many years. He's  
18 certainly not moved from job to job every few months, but  
19 there are a very large number of jobs which, to his credit,  
20 he's able to secure. But the number of job changes and the  
21 lack of stability in his employment and career development  
22 also I think reflects some of the issues and problems that  
23 Mr. Sprenger struggled with.

24 We have to take into account Mr. Sprenger's age,  
25 though here that is not nearly as significant a factor as it

1 might be in some other cases because Mr. Sprenger is not and  
2 will not be at an age where physiology is likely to mitigate  
3 the risk that he poses for recidivating for this kind of  
4 criminal activity.

5           Again contributing to, you know, this mixed bag of  
6 who Adam Sprenger is is his postarrest conduct, and there are  
7 a number of noteworthy aspects to that, as Mr. Brandstrader  
8 points out.

9           It does appear from his involvement in AA and his  
10 work as a trustee at the jail that Mr. Sprenger is, at least  
11 for the present, highly motivated. And as his own comments  
12 reflect -- and I credit his present intention to do everything  
13 in his power to rehabilitate himself so that he will not  
14 present these kind of threats in the future. But the fact of  
15 the matter is today he presents that threat, and the Court has  
16 to take that into account because the Court is required to  
17 impose a sentence that will protect the public, that will  
18 reflect the seriousness of the offense and will promote  
19 respect for the law, as well as speak to Mr. Sprenger in terms  
20 of deterring him from ever repeating this kind of conduct.  
21 And the sentence must also speak to others.

22           There are two kinds of deterrence. There's specific  
23 deterrence, which is what I just spoke of, sending a message  
24 to Mr. Sprenger. But there's another kind of deterrence that  
25 is particularly important in a case like this, where we're

1 talking about the protection of the most vulnerable members of  
2 our society, and that's the message to those who may be  
3 struggling with the same kind of demons that Mr. Sprenger has  
4 struggled with. They need to hear the message loud and clear  
5 that we will protect those vulnerable members of society.  
6 They need to understand -- you know, Mr. Sprenger's comments I  
7 think are revealing that he said, you know, he didn't fully  
8 understand and appreciate what he was doing and how he was  
9 victimizing people when he was doing this, and I believe that.  
10 And that's why we have to do everything in our power to make  
11 sure that others get the message.

12           You know, we live in a society where the rule of law  
13 is what educates our citizenry about the conduct that is  
14 tolerated and the kind of conduct that is not tolerated. And  
15 the sentence imposed in this case has to send a very strong  
16 message that this kind of conduct is intolerable, that it  
17 ranks among the most abhorrent kinds of conduct and that it  
18 will be treated as such.

19           As I indicated, I'm required to consider unwarranted  
20 sentencing disparities and to try to avoid unwarranted  
21 sentencing disparities. In that regard I note that the  
22 sentencing guidelines are the best tool available to try to  
23 reduce sentencing disparities; and as explained by the  
24 Supreme Court, district courts must treat the guidelines as  
25 the starting point and the initial benchmark in considering

1 whether a proposed sentence satisfies the requirements of  
2 Section 3553(a).

3 I'm required to take into account the kinds of  
4 sentences available. In this regard I note that Count One is  
5 a Class B felony, which carries a maximum sentence of 30 years  
6 and a minimum sentence of 15 years; Count Four, the second  
7 count of conviction, is a Class C felony, which carries a  
8 maximum sentence of 20 years. So the maximum sentence that  
9 could be imposed in this case is 50 years, which is the  
10 guideline sentence.

11 It also bears noting that while the Court is required  
12 to consider the need for vocational training, medical  
13 treatment and things that will address issues and prepare  
14 defendants for the ability to function productively and  
15 lawfully in society, Section 3582 of Title 18 bars  
16 consideration of the need to promote correction and  
17 rehabilitation in connection with the imposition of a term of  
18 imprisonment.

19 The Court also needs to consider restitution as it  
20 bears on the sentence. And in that regard, the government has  
21 submitted a proposed restitution list of victims drawn by  
22 victims that include the Victims A through F that are  
23 identified specifically and personally in this case, along  
24 with a number of other victims whose identities are known that  
25 appear in the child pornography possessed by the defendant.

1 And the government has proposed a restitution order for those  
2 identified victims that totals \$86,000.

3 Mr. Brandstrader, what is the defendant's position  
4 with respect to the government's restitution amount and  
5 itemization?

6 MR. BRANDSTRADER: Judge, we're going to object for  
7 the record. Let me leave it at that. We'll object to the  
8 restitution order for the record.

9 THE COURT: All right.

10 And finally, with respect to this category of what  
11 kinds of sentences are available, I also note that in the plea  
12 agreement in this case, Mr. Sprenger agreed to the entry of a  
13 preliminary order of forfeiture that requires the forfeiture  
14 of various items of electronic equipment, computers that are  
15 involved in the commission of this offense.

16 All right. Mr. Brandstrader, are there any other  
17 factors in mitigation that you neglected to discuss that you  
18 would like to raise at this juncture or that you think that I  
19 have neglected to discuss adequately in my comments?

20 MR. BRANDSTRADER: No, Your Honor.

21 THE COURT: All right.

22 Anything else, Ms. Greening, from the government?

23 MS. GREENING: No, Your Honor.

24 THE COURT: All right.

25 I'm going to take about ten minutes. We'll adjourn

1 for about ten minutes. And we'll come back out, and I should  
2 be prepared to impose the sentence at that time.

3 (Recess.)

4 THE COURT: All right. We'll resume.

5 The Court is prepared to impose the sentence in this  
6 case.

7 On February 15th of 2019, defendant Adam Sprenger  
8 entered a plea of guilty to a charge of production of child  
9 pornography in violation of 18 U.S.C. 2252A(a)(5)(B) and a  
10 charge of possession of child pornography in violation of  
11 Title 18 -- or excuse me. I'm sorry. The production charge  
12 was in violation of Section 2251A of Title 18, and the  
13 possession charge is in violation of Section 2252A(a)(5)(B).

14 I have considered all of the arguments presented to  
15 me by government's counsel, by defense counsel. I've  
16 considered Mr. Sprenger's remarks here today. I've considered  
17 the remarks of Individual A in court here today. I've  
18 considered the victim impact statements that have been  
19 submitted by other victims of these crimes. I have also  
20 considered the letters of support that have been submitted on  
21 behalf of Mr. Sprenger. I have considered the advisory  
22 federal sentencing guidelines and the policy statements that  
23 inform their consideration. I have taken into consideration  
24 all of the factors that are set forth in Section 3553(a), and  
25 I have considered the totality of the circumstances in this



1 case in fashioning the sentence for the defendant.

2 As noted, the guideline range in this case is 50  
3 years of imprisonment, and the government has recommended the  
4 imposition of that guideline sentence. The defense has  
5 recommended that the lowest possible sentence of 15 years be  
6 imposed. Neither of those sentences I believe is the  
7 appropriate sentence to impose in this case.

8 I'm going to impose a term of imprisonment of 30  
9 years to be followed by a term of supervised release of 20  
10 years. I have already remarked about the factors relevant to  
11 that determination, but I have determined that that is the  
12 sentence that is sufficient but not greater than necessary to  
13 promote the sentencing objectives as a whole because I think  
14 that a term of 50 years is not appropriate to begin with.  
15 While the offenses that Mr. Sprenger has committed in this  
16 case are, as I have cataloged, abhorrent and rank among the  
17 most serious offenses that we address, a sentence of 50 years  
18 in this case would -- may well be a life sentence. And I'm  
19 not prepared to say that Mr. Sprenger's conduct warrants  
20 imprisonment for the rest of his life. To say that, I think  
21 we'd have to say that Mr. Sprenger presents a combination of  
22 someone who is irredeemable and who has committed crimes that  
23 rank not just among the most serious but at the very top of  
24 the chart. Life sentences are the sentences that we impose on  
25 those who have murdered and violated, you know, the most

1 fundamental commandments that we observe as a civilization.  
2 And while this is certainly up there in terms of that ranking,  
3 it's not at the very top. And I therefore don't believe that  
4 it is deserving of the sentence at the very top end of the  
5 guideline range that could be imposed in this case.

6           The sentence that I have arrived on I think is a  
7 very, very serious sentence that recognizes and respects --  
8 that recognizes the seriousness of Mr. Sprenger's conduct and  
9 respects the terrible toll that that conduct has taken on its  
10 victims.

11           It will also, I believe, ensure the protection of the  
12 public. It is adequate to ensure the protection of the  
13 public. Mr. Sprenger will be in his mid 60s when he is  
14 released from this sentence, at a time when age alone should  
15 have mitigated to a significant degree the risk of and the  
16 danger posed by Mr. Sprenger in terms of the risk of  
17 recidivism. And what risk remains I think can appropriately  
18 be monitored and treated during the extended period of  
19 supervised release that will be long enough to take  
20 Mr. Sprenger should he be fortunate enough to live into his  
21 late 80s. So I think the combination of 30 years of  
22 imprisonment with a 20-year term of supervised release is  
23 sufficient but not greater than necessary to protect the  
24 public as well.

25           It also serves the purposes of deterrence that I've

1 talked about, both directly to Mr. Sprenger and also to those  
2 who, again, suffer from similar demons. Perhaps understanding  
3 that this kind of serious sentence will be imposed may help  
4 some other child somewhere by giving somebody else pause to  
5 think about -- more carefully about what they're doing.

6 Even if it doesn't, I think this is a sentence that  
7 speaks to us as a community and as a nation and reminds us all  
8 that we will and must protect the vulnerable, most vulnerable  
9 among us, our children. And perhaps the message will be heard  
10 not only in the context of protecting them from sexual  
11 predators like Mr. Sprenger but from other kinds of predators  
12 that we're also battling in today's world.

13 I'm going to impose in full the government's proposed  
14 restitution amount of \$86,000 on the schedule that the  
15 government has proposed. I find the government's rationale to  
16 be appropriate in assessing and distinguishing among groups  
17 and individual victims. And in the absence of any articulated  
18 specific objection to the calculation, I find that it is a  
19 reasonable calculation of the amount of restitution that  
20 should be paid in this case to the victims, and it is also an  
21 amount that there is some hope that the victims may actually  
22 see some day.

23 In addition to the restitution amount, I'm required  
24 to impose a special assessment of \$100 on each count of  
25 conviction.

1           I am not imposing the enhanced special assessment  
2     because I think it unlikely that Mr. Sprenger is going to have  
3     the financial resources to pay that in addition to the  
4     restitution owed, and I want whatever financial resources are  
5     available to go to restitution.

6           All right. With respect to the terms and conditions  
7     of supervised release, Mr. Brandstrader, I don't believe that  
8     the defense objected to any of the proposed conditions?

9           MR. BRANDSTRADER: No, Judge. We discussed them with  
10    Mr. Sprenger, and we're not lodging any objection to the ones  
11    set out in the probation report.

12          THE COURT: All right. Understanding that, the  
13    Seventh Circuit has recognized that a defendant who has had  
14    the opportunity to review proposed terms and conditions of  
15    supervised release in advance of a sentencing hearing and had  
16    the opportunity to object may waive the review and individual  
17    recitation of those conditions at the sentencing hearing if he  
18    wishes to do so. Do you wish to waive that process, or I can  
19    go through the individual conditions?

20          MR. BRANDSTRADER: We'll waive, Judge.

21          THE COURT: All right.

22          No fine will be imposed, again, for the reasons that  
23    any financial resources that Mr. Sprenger has available should  
24    go to paying restitution to the victims of his crimes.

25          Going back to the term of imprisonment for a moment,

1 that term of 30 years will be imposed on Count One. A term of  
2 20 years will be imposed on Count Four, those terms to be run  
3 concurrently.

4 All right. Mr. Sprenger, you have the right to  
5 appeal the sentence and judgment entered in this case. Any  
6 appeal that is taken must be filed by filing a notice of  
7 appeal in this district court within 14 days of the entry of  
8 this judgment. The judgment will likely be entered on the  
9 Court's docket tomorrow which will start that 14-day clock  
10 ticking.

11 Mr. Brandstrader, is the defense seeking any  
12 recommendations by the Court to the Bureau of Prisons with  
13 respect to the sentence or --

14 MR. BRANDSTRADER: Yes, Judge. We would respectfully  
15 ask the Court to recommend FCI Elkton, E-l-k-t-o-n. I believe  
16 it's in Ohio. They offer sex treatment programs.

17 THE COURT: E-l-k-t-o-n?

18 MR. BRANDSTRADER: E-l-k-t-o-n.

19 THE COURT: All right. I certainly will make that  
20 recommendation.

21 MR. BRANDSTRADER: Thank you.

22 THE COURT: Were there any others?

23 MR. BRANDSTRADER: Well, the other one is I would say  
24 it's Devens in Massachusetts, Judge. They have the full  
25 treatment program, FMC Devens, D-e-v-e-n-s.

1 THE COURT: All right.

2 Mr. Sprenger, I'm happy to make those  
3 recommendations. They're certainly warranted here. You  
4 should understand, however, that I do not have the authority  
5 to order the Bureau of Prisons to provide any particular type  
6 of treatment or to designate you to any specific facility.  
7 They take recommendations by the Court seriously, but  
8 ultimately it is only a recommendation.

9 Mr. Alper, anything from probation that I've  
10 neglected to cover?

11 PROBATION OFFICER: No, Your Honor. Thank you.

12 THE COURT: Ms. Greening, anything else from the  
13 government?

14 MS. GREENING: A few quick things, Your Honor.

15 On supervised release, for discretionary condition 6,  
16 the government requests adding a few additional individuals to  
17 the no contact order, including all of the victims who have  
18 been listed in this case, Victim C, D, E, and F.

19 THE COURT: Yes, thank you. I had actually scribbled  
20 that in in my note. I will make that change.

21 No objection, Mr. Brandstrader?

22 MR. BRANDSTRADER: No objection, Judge.

23 THE COURT: All right.

24 MS. GREENING: I don't believe the Court has  
25 addressed forfeiture.

1           THE COURT: You're right. I talked about it earlier  
2 but did not impose the forfeiture.

3           The Court will grant the government's request for  
4 entry of the preliminary forfeiture order, the entry of which  
5 was agreed to in the plea agreement between the parties. So  
6 that will be entered along with the judgment order.

7           MS. GREENING: Thank you, Your Honor.

8           And the last thing is that the government moves to  
9 dismiss the other counts in the indictment.

10          THE COURT: All right. On the government's motions,  
11 Counts Two and Three?

12          MS. GREENING: Yes, Your Honor.

13          THE COURT: Will be dismissed.

14          One other aspect. In entering the restitution order  
15 proposed by the government, the Court recognizes and  
16 acknowledges and identifies each individual listed in that  
17 order as a victim of this defendant's crimes.

18          All right. Anything else?

19          MS. GREENING: No. Thank you, Your Honor.

20          THE COURT: All right.

21          MR. BRANDSTRADER: Nothing, Judge.

22          THE COURT: Mr. Sprenger.

23          THE DEFENDANT: Yes, Your Honor.

24          THE COURT: This sentence -- a harsher sentence could  
25 have been justified. I mean it when I say that I don't

1 believe you are irredeemable. The love and support that you  
2 have here from your family members is the greatest testament  
3 to that. I hope that you will hold that with you and that  
4 will be of some strength to you as you move forward with your  
5 life. And I wish you good luck and success in battling the  
6 demons that have brought us here today.

7 To the victims of the crime who are here, thank you  
8 for your courage and your contributions to this process. I  
9 hope that you feel justice has been done.

10 We're adjourned.

11 (Which were all the proceedings heard.)  
12

13 CERTIFICATE

14 I certify that the foregoing is a correct transcript from  
15 the record of proceedings in the above-entitled matter.

16 */s/Kelly M. Fitzgerald*

*January 17, 2020*

17 \_\_\_\_\_  
18 Kelly M. Fitzgerald  
Official Court Reporter

\_\_\_\_\_  
Date